

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

REGIONS BANK, a state banking )  
association, )

Plaintiff and Counter Claim )  
Defendant as to Parcel 1 )

CHARLENE RYLES, Administrator )  
of the Estate of Charlie G. Ryles and )  
CHARLENE RYLES, )  
INDIVIDUALLY )

Cross Claim Plaintiff )

v. )

Civil Action No.: **2:05-CV-1003-MHT**  
(WO)

THE ESTATE OF CHARLES G. )  
RYLES; CHECK CARE SYSTEMS; )  
ANDREANA PHIPHER )  
BLEND A RYLES; CHARLENE )  
RYLES; CHRISTOPHER RYLES; )  
DOROTHY D. RYLES; GREGORY D. )  
RYLES; KERONICA RYLES; )  
KIMBERLY RYLES; SANDRA )  
RYLES; INTERNAL REVENUE )  
SERVICE, )

Defendants; Counter Claim )  
Defendants; and Cross Claim )  
Defendants. )

Defendants. )

**JUDGMENT AND ORDER OF SALE**

This matter coming before the Court on a Expungement of Discharge of Mortgage; Equitable Lien; Declaratory Action; Answer and Complaint for Sale for Division and with no objection having been made to any of the Causes of Action, all parties to the action having previously filed

Acceptance of Services and Consents to Sell the land; the Pike County Circuit Court having previously made a proper ruling that the property was to be sold to the highest and best bidder on the steps of the Pike County Courthouse; the Court now adopting the pleadings and findings of the Pike County Circuit Court; the Court adopting the Stipulation of Facts contained in the “Joint Motion and Stipulation of Facts Requesting the Court Adopt the State Court Pleadings, Orders and other Court Papers for Sell for Division of Real Estate and Order of Sale of Real estate”; and the Court having considered the “Consent for Sale of Land and Acknowledgment of Lien Interest Held by the United States of America” filed by Gregory D. Ryles directing the payment of a lien held by the IRS against Gregory D. Ryles, the Court is of the Opinion that the both parcels of property described in the Complaint are jointly owned by the parties and cannot be equitably divided and that the Mortgage on parcel one (1), as described in the Complaint and Pleadings, to Regions Bank was released in error and that the IRS has a proper lien against the 1/9th interest of Gregory D. Ryles as to parcels 1 and 2 of the complaint and Pleadings. Therefore, it is ORDERED, ADJUDGED, AND DECREED as follows:

1. That the Clerk of this Court sell at public outcry on the front steps of the Pike County Courthouse during the legal hours of sale, to the highest bidder for cash, the said property.
2. That notice of such sale be published once a week for three consecutive weeks prior to the day of sale in the Troy Messenger, a newspaper of general circulation in Pike County, Alabama.
3. That the mortgage held by Regions Bank is ordered reinstated and is to be paid from the proceeds of the sale of parcel one (1) of the Complaint and the law firm of

Johnstone and Adams be awarded attorney fees and court costs in the amount of \$1,712.00 for their representation of Regions Bank from the sale of parcel 1 (one) only.

4. That after the payment of said mortgage and legal fees and expenses, the IRS be paid its lien amount from the 1/9th share of Gregory D. Ryles from the sale of parcel 1 and/or parcel 2 of the Complaint.
5. That James N. Thomas, attorney for the Plaintiff, be allowed a reasonable attorney's fee from the balance of the sale proceeds of parcel 1, after payment of the Regions Bank Mortgage and IRS lien; that he be allowed a reasonable attorney fee from the gross sale proceeds of parcel 2 of the Complaint; and that he be reimbursed all Court Costs and publication expenses.
6. That within 10 days of after holding such sale, the Clerk shall file the report of the sale with the Court and mail a copy to Counsel and the parties. The Clerk shall hold the bid of the highest bidder until the Court rules on whether to confirm such sale.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE AND ORDERED this the 3rd day of August, 2006.

/s/ Myron H. Thompson  
United States District Court Judge